

Rosenman

ROSENMAN & COLIN LLP
1300 19TH STREET, N.W.
WASHINGTON, D.C. 20036

TELEPHONE: (202) 463-4640
FACSIMILE: (202) 429-0046
WEB SITE: <http://www.rosenman.com>

APR 21 1997

April 21, 1997

William F. Caton, Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

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NEW YORK OFFICE
575 MADISON AVENUE
NEW YORK, NY 10022-2585

NEW JERSEY OFFICE
ONE GATEWAY CENTER
NEWARK, NJ 07102-5397

SPECIAL COUNSEL
JEROLD L. JACOBS

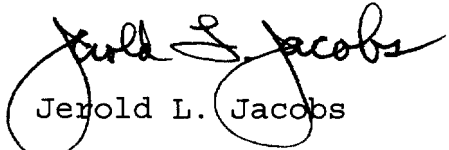
Re: MM Docket No. 97-86
FM Table of Allotments
(Camdenton, Missouri)

Dear Mr. Caton:

Enclosed herewith for filing, on behalf of our client, Lake Broadcasting, Inc., are an original and four (4) copies of its "Comments of Lake Broadcasting, Inc." in the above-referenced matter.

Please direct all inquiries and communications concerning this matter to the undersigned.

Very truly yours,


Jerold L. Jacobs

Enc.

cc: As on Certificate of Service (all w/enc.)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

APR 21 1997

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 97-86
Table of Allotments,) RM-9025
FM Broadcast Stations)
(Camdenton, Missouri))

TO: Chief, Allocations Branch
Mass Media Bureau

COMMENTS OF LAKE BROADCASTING, INC.

LAKE BROADCASTING, INC. ("Lake"), licensee of Station KBMX(FM), Eldon, Missouri, by its attorneys and pursuant to §1.415(b) of the Commission's Rules, hereby submits its Comments in partial opposition to the Notice of Proposed Rule Making ("NPRM"), DA 97-414, released Feb. 28, 1997, in this proceeding. In support whereof, the following is shown:

1. In response to a petition for rulemaking filed by Camdenton Community Broadcasters ("CCB"), the NPRM proposes to allot Channel 265A to Camdenton, Missouri as a first local commercial FM broadcast service, provided there is a site restriction 2.9 kilometers (1.8 miles) north of the community, and CCB has specified allotment reference coordinates of 38-02-00 and 92-44-20. Id. at ¶2 and n.2.

2. Lake is an interested party in this proceeding because of the mutual exclusivity between CCB's Camdenton Channel 265A proposal and Lake's proposal to allot Channel 264A to Waynesville, Missouri (in lieu of present Channel 272A), which is still pending in three other FM channel rulemaking proceedings. However, as Lake will now demonstrate, if the proposed site restriction and allotment reference coordinates for CCB's Camdenton proposal are modified and if specific allotment reference coordinates are added to the Commission's FM engineering data base for the proposed allotment of Channel 264A to Waynesville, then allotting Channel

265A to Camdenton will not conflict with the potential allotment of Channel 264A to Waynesville, and Lake's substantive and administrative due process rights and concerns will be duly protected and satisfied.

3. Specifically, Lake's Station KBMX currently operates on Channel 270A at Eldon and counterproposed in MM Docket No. 89-120 (Northweye, Cuba, Waynesville, Lake Ozark, and Eldon MO)(the "Eldon" proceeding) that its frequency be upgraded to Channel 270C1. To do that, Lake proposed in its January 5, 1993 "Supplement to Petition for Reconsideration" in the Eldon proceeding (at ¶3) that Channel 264A be allotted to Waynesville, instead of the present Channel 272A or the Channel 221A which was previously proposed. Action on Lake's appeal of the Report and Order in the Eldon proceeding, 7 FCC Rcd 1449 (Mass Media Bur. 1992), is being held in abeyance. See FM Table of Allotments (Ava, Branson, and Mountain Grove MO)(MM Docket No. 91-352) (the "Ava" proceeding), 10 FCC Rcd 13035, 13036 n.3 (Mass Media Bur. 1995), and FM Table of Allotments (Columbia, Bourbon, Leasburg, Gerald, Dixon and Cuba MO)(MM Docket No. 92-214) (the "Columbia" proceeding), 10 FCC Rcd 12624, 12626 n.12 (Mass Media Bur. 1995).

4. Turning to the other two proceedings, in Lake's February 28, 1996 "Reply to Opposition to Petition for Reconsideration" (at ¶¶'s 2-3) in the Ava proceeding and in its February 28, 1996 "Consolidated Reply to Oppositions to Petition for Reconsideration" (at ¶14) in the Columbia proceeding, both of which are still pending because of interrelationships with the Eldon proceeding, Lake has urged that if the Commission grants reconsideration in the Eldon proceeding and allots Channel 264A to Waynesville, the mutual exclusivity among the Eldon, Ava, and Columbia proceedings will be severed in a way that permits the Commission to allot Channel 270C1 to Lake at Eldon.


5. Attached hereto as Exhibit A is an Engineering Statement ("Statement") by Mr. Clarence M. Beverage of Communications Technologies, Inc., which concludes that Channel 265A can be allotted to Camdenton with a modified site restriction 15.2 kilometers west of Camdenton and modified allotment reference coordinates of 38-02-55 and 92-54-45 in full compliance with the minimum spacing requirements of §73.207 of the Rules with respect to all existing or proposed stations and allotments. Importantly, Lake's proposed modified site restriction and allotment reference coordinates, and the specification of reference coordinates for the proposed allotment of Channel 264A to Waynesville, will eliminate any conflict between CCB's and Lake's proposals and will permit a first commercial FM service to be established at Camdenton while preserving the possibility that Lake's Station KBMX can be upgraded to Channel 270C1 at Eldon.

6. Rulemaking comments, such as Lake's, which propose to change the allotment reference coordinates for a channel at issue in the proceeding are fully consistent with Commission case precedent. Compare FM Table of Allotments (Bowling Green KY)(MM Docket No. 90-447), 6 FCC Rcd 3326 (Mass Media Bur. 1991) (site restriction and allotment coordinates changed), with FM Table of Allotments (Chatom AL), 10 FCC Rcd 7725 (Mass Media Bur. 1995) (Commission will not alter reference coordinates outside of a rulemaking proceeding to change the Table of Allotments). Thus, Lake urges that the paramount public interest would best be served in this proceeding by approving CCB's Channel 265A Camdenton proposal with the above-described modified site restriction and allotment reference coordinates and by specifying allotment reference coordinates for the proposed allotment of Channel 264A to Waynesville in the Eldon, Ava, and Columbia proceedings.

WHEREFORE, in light of the foregoing, Lake Broadcasting, Inc. respectfully requests that the Commission should only grant the Channel 265A allotment proposal of Camdenon Community Broadcasters if it specifies a site restriction and allotment reference coordinates in accordance with Lake's recommendations herein.

Respectfully submitted,

LAKE BROADCASTING, INC.

By 
Howard J. Braun
Jerold L. Jacobs

ROSENMAN & COLIN LLP
1300 - 19th Street, N.W. Suite 200
Washington, D.C. 20036
(202) 463-4640

Its Attorneys

Dated: April 21, 1997

EXHIBIT A

**ENGINEERING STATEMENT
IN SUPPORT OF COMMENTS OF
LAKE BROADCASTING, INC.
NPRM DA 97-414 CHANNEL 265A
CAMDENTON, MISSOURI**

APRIL 1997

**ENGINEERING STATEMENT
IN SUPPORT OF COMMENTS OF
LAKE BROADCASTING, INC.
NPRM DA 97-414 CHANNEL 265A
CAMDENTON, MISSOURI**

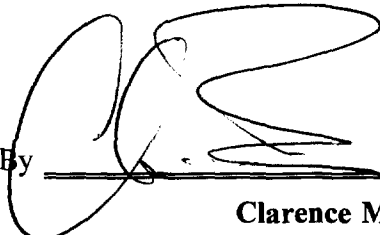
APRIL 1997

The following engineering statement has been prepared on behalf of **Lake Broadcasting, Inc. ("Lake")**, licensee of FM station KBMX(FM), Eldon, Missouri. In MM Docket No. 91-352, FM Table of Allotments (Ava, Branson and Mountain Grove, Missouri) and MM Docket No. 92-214, FM Table of Allotments (Columbia, Bourbon, Leasburg, Gerald, Dixon and Cuba, Missouri) **Lake** urged the Commission to allot Channel 264A to Waynesville, Missouri to remove a mutual exclusivity and to allow the Commission to allot Channel 270C1 to **Lake** at Eldon, Missouri. A more detailed description of the Rule Making history may be found in the legal argument covering this statement.

The proposed allotment of Channel 265A by Camdenton Community Broadcasters ("CCB") at the proposed reference coordinates of N.L. 38-02-00, W.L. 92-44-20 is mutually exclusive with **Lake's** proposal to use Channel 264 at Waynesville, Missouri. Table I, attached, depicts the 15.2 km short spacing associated with CCB's proposal. However, the mutual exclusivity is easily removed by moving the proposed Channel 265A reference coordinates at Camdenton, Missouri to N.L. 38-02-55, W.L. 92-54-45 as shown on Table II.

The proposed new reference coordinates are located 15.2 km west of Camdenton. It is noted that the 70 dBu contour for a 6 kW Class A fully extends out 17.2 km at the 107.1 degree bearing to Camdenton and that the city of Camdenton, based on 1990 U.S. Census data, has an area of 9.0 square km and a population of 2,561 persons. Table III is a tabulation of to the 70 dBu contour for a full Class A facility at the proposed new reference coordinates. One hundred percent of the community of Camdenton is located within the proposed 70 dBu contour based on the proposed reference coordinates.

The foregoing was prepared on behalf of **Lake Broadcasting, Inc.** by Clarence M. Beverage of *Communications Technologies, Inc.*, Marlton, New Jersey, whose qualifications are a matter of record with the Federal Communications Commission. The statements herein are true and correct of his own knowledge, except such statements made on information and belief, and as to these statements he believes them to be true and correct.

By  _____
Clarence M. Beverage
for Communications Technologies, Inc.
Marlton, New Jersey

SUBSCRIBED AND SWORN TO before me,

this 17th day of April, 1997,

Esther G. Sperbeck, NOTARY PUBLIC

ESTHER G. SPERBECK
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT 15, 1997

TABLE I

ALLOCATION STUDY PROPOSED CH 265

CAMDENTON, MISSOURI

APRIL 1997

Search of channel 265A6 (100.9 MHz), at N. 38 2 0, W. 92 44 20.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
NEW	Sunrise Beach	MO	212	A	A	22.7	10.0	353.6°	12.7
ALC	Carrollton	MO	264	C1	U	162.1	133.0	336.1°	29.1
KMZU	Carrollton	MO	264	C1	L	158.9	133.0	338.7°	25.9
ALC	Sullivan	MO	265	A	U	137.3	115.0	82.5°	22.3
ALC	Camdenton	MO	265	A	A	0.0	115.0	0.0°	-115.0
KTUIFM	Sullivan	MO	265	A	L	137.3	115.0	82.5°	22.3
KJPW	Waynesville	MO	264	A	U	56.8	72.0	114.7°	-15.2
KTXR	Springfield	MO	267	C	L	94.7	95.0	190.5°	-0.3
KPLA	Columbia	MO	268	C1	A	103.5	75.0	23.6°	28.5
KPLA	Columbia	MO	268	C2	C	92.6	55.0	24.7°	37.6

TABLE II
ALLOCATION STUDY PROPOSED CH 265A
(PROPOSED ALTERNATE REFERENCE COORDINATES)

CAMDENTON, MISSOURI

APRIL 1997

Search of channel 265A+ (100.9 MHz), at N. 38 2 55, W. 92 54 45.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
NEW	Sunrise Beach	MO	212	A	A	24.4	10.0	31.4°	14.4
ALC	Carrollton	MO	264	C1	U	154.9	133.0	340.9°	21.9
KMZU	Carrollton	MO	264	C1	L	152.4	133.0	343.7°	19.4
ALC	Sullivan	MO	265	A	U	152.2	115.0	83.9°	37.2
ALC	Camdenton	MO	265	A	A	15.3	115.0	96.3°	-99.7
KTUIFM	Sullivan	MO	265	A	L	152.2	115.0	83.9°	37.2
KJPW	Waynesville	MO	264	A	U	71.6	72.0	181.2°	-0.4
KTXR	Springfield	MO	267	C	L	94.8	95.0	181.2°	-0.2
KPLA	Columbia	MO	268	C1	A	109.0	75.0	31.3°	34.0

TABLE III

6 kW @ 100 M HAAT - ALTERNATE REFERENCE COORDINATES

CAMDENTON, MISSOURI

APRIL 1997

DISTANCES TO CONTOURS (Kilometers):

Frequency: 100.90000 MHz

Coordinates: N 38 2 55 W 92 54 45

F(50,50) Curves Number of Contours: 1

AZ (deg)	HAAT (m)	ERP (kW)	CONTOUR LEVELS (dBu): 70.0
.0	110	6.0000	17.1
45.0	122	6.0000	18.1
90.0	118	6.0000	17.7
135.0	106	6.0000	16.7
180.0	79	6.0000	14.2
225.0	70	6.0000	13.4
270.0	94	6.0000	15.6
315.0	101	6.0000	16.2
107.1	111	6.0000	17.2 *

* Radial over community

CERTIFICATE OF SERVICE

I, Maria Alvarez-Newsom, a secretary in the law offices of Rosenman & Colin LLP, do hereby certify that on this 21st day of April, 1997, I have caused to be mailed, or hand-delivered, a copy of the foregoing "Comments of Lake Broadcasting, Inc." to the following:

John A. Karousos, Chief*
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W., Room 554
Washington, D.C. 20554

Andrew J. Rhodes, Special Legal Advisor*
Policy and Rules Division
Mass Media Bureau
2000 M Street, N.W., Room 545-A
Washington, D.C. 20554

Ms. Kathleen Scheuerle*
Allocations Branch
Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W., Room 571
Washington, D.C. 20554

Richard J. Hayes, Esq.
13809 Black Meadow Road
Spotsylvania, VA 22553

COUNSEL FOR CAMDENTON COMMUNITY BROADCASTERS


Maria Alvarez-Newsom

***BY HAND**